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January 28, 2020

Magistrate Judge Steven M. Gold  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**Re: Gursewak Singh v Lintech Electric Inc., et al**  
United States District Court EDNY 18 CV5780

Dear Magistrate Gold:

The plaintiff is submitting this letter to oppose the motion for sanctions.

It is strange that defendants counsel has suddenly decided to make application for sanctions concerning the failure of the plaintiff to appear at the November 5 settlement conference.

As Your Honor will recall, counsel were present and discussed various outstanding discovery issues. Defendant had “found” more of its records and asked for a further deposition of the plaintiff which was granted. The Court also set dates for the parties to prepare a pre trial order. On September 3, 2019 this office sent to counsel a damage computation. Counsel at the November conference also discussed settlement to the extent that counsel for the defendant advised that plaintiff’s computations were unacceptable but made no offer of settlement at all.

Plaintiff should have been present as directed with an interpreter and his absence was due to a failure on the part of my office to make those arrangements.

But, had he been present, counsel would have engaged in the same discussions with the same results.

As defendants failed to engage in any discussion of settlement other than to reject plaintiff's computations, whether plaintiff was present hardly mattered.

The undersigned explained to the Court the mistake made and counsel did not raise any issue at that time which makes one wonder why suddenly this application has been made.

The application should be rejected.

Respectfully submitted,

  
JONATHAN SILVER

JS/eb